

Amendments to the Claims:

This listing of claims will replace all prior versions and listing of claims in the application.

Claims 1-11 are amended.

Listing of Claims:

1. (Currently Amended) Dispensing device for drinks or similar dosable liquid foodstuffs, ~~in particular coffee, milk, soft drinks or soups~~, comprising:
 - an identification means ~~(10)~~ adapted to detect a vertical height of a container ~~(1)~~ for receiving the foodstuff and to send out a height signal;
 - a filling mechanism ~~(10)~~ for filling the container with the foodstuff and mounted such that its height the height of which is adjustable relative to said the container (1); and
 - a control means ~~(9)~~ that is adapted to operate in response to the height signal to adjusts the relative height of the filling mechanism ~~(20)~~ to a predefined ~~presetable~~ filling height with respect to said the container (1), before said the container (1) is filled with the foodstuff by the filling mechanism.
2. (Currently Amended) Dispensing device according to Claim 1, wherein ~~characterized in that~~ the control means ~~(9)~~ is adapted to adjust the height of the filling mechanism into a waiting position in which its height above the container is maximal ~~so designed that~~ after a filling procedure has been completed, ~~the filling mechanism (20) is moved into a waiting position in which its height above the container (1) is maximal.~~
3. (Currently Amended) Dispensing device according to Claim 1, wherein ~~one of the preceding claims, characterized in that~~ the control means ~~(9)~~ includes a memory and is adapted to store ~~so designed that~~ various filling heights ~~can be stored~~ in said memory.
4. (Currently Amended) Dispensing device according to Claim 3, wherein ~~characterized in that~~ ~~the~~ said various filling heights ~~is~~ can be stored in association with data concerning various foodstuffs.

5. (Currently Amended) Dispensing device according to Claim 1, wherein one of the preceding claims, characterized in that the identification means includes (10) comprises at least one filling-state sensor (15, 16), ~~by way of which~~ that sets a maximal filling state for said the container (1) ~~can be set~~ when said the container (1) is being filled with the foodstuff.
6. (Currently Amended) Dispensing device according to Claim 1, wherein one of the preceding claims, characterized in that the identification means includes (10) comprises a programmable memory (11) in which height signals corresponding to various identification signals are stored.
7. (Currently Amended) Dispensing device according to Claim 1, wherein one of the preceding claims, characterized in that the identification means (10) comprises sensors (14) to detect the height of said the container (1).
8. (Currently Amended) Dispensing device according to Claim 7, wherein characterized in that the sensors comprise (14) ~~are constructed as~~ light barriers.
9. (Currently Amended) Dispensing device according to Claim 1, wherein one of the preceding claims, characterized in that the identification means includes (10) comprises reading means (18) to read information provided on said the container (1).
10. (Currently Amended) Dispensing device according to Claim 1, further comprising one of the preceding claims, characterized by a learning means (12) with a manually actuatable adjustment means (13) to adjust the position of the filling mechanism (20) and to store a height signal associated with a particular container (1).
11. (Currently Amended) Dispensing device according to Claim 1, further comprising a foodstuff-supply means defining an outlet and wherein one of the preceding claims, characterized in that the filling mechanism (20) comprises a container receptacle (21) that is fixed in position and a movable dispensing region (22) that is connected to said

foodstuff-supply means (26, 27) ~~in~~ such a way that a distance over which a ~~the~~ foodstuff must pass on the way from the supply means (26, 27) to said ~~the~~ outlet into the open air is independent of the height of the filling mechanism (20) above the container receptacle (21).